

# Legal aid resists being reined in, Meese testifies

## Congress ordered political reforms

By Amy Fagan  
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The Legal Services Corp. has failed to curb its political activities as Congress demanded six years ago, former U.S. Attorney General Edwin Meese III said yesterday in testimony at an oversight hearing.

The publicly funded agency that distributes grant money for the legal defense of poor Americans has not increased competition among its local grant recipients and has disregarded Congress' prohibition of its involvement in class-action lawsuits, Mr. Meese told the House Judiciary subcommittee on commercial and administrative law.

Mr. Meese currently heads the center for legal and judicial studies at the Heritage Foundation.

LSC spokesman Eric Kleiman said competition has indeed increased and that the LSC "will not allow any group receiving LSC funding to participate in a class-action lawsuit."

"I think there have been some good changes made, but some real problems persist," said Rep. Bob Barr, Georgia Republican, who called the hearing as chairman of the subcommittee.

President Bush is expected to announce replacements to the current Clinton-era LSC board members soon, and Mr. Barr wants to ensure the White House will "get people on that board that really take these reforms seriously."

Created in 1974, the LSC gives grants to local organizations that provide legal services to poor Americans. But Republicans complained for years that LSC pursues liberal political causes through its lawsuits — prompting Congress to enact reforms in 1996 intended to restrict LSC's political activities.

Mr. Meese said the LSC continues to allow its grantees to take cases of aliens who are not physically present in the United States, even though Congress prohibited such action.

The LSC convened a commission to examine the issue, Mr.

Meese said, and found the congressional mandate really meant the alien "is now or once was present."

As a result, Mr. Meese said "growers in Georgia, North Carolina, Kentucky and elsewhere have been sued by aliens living in Mexico a year or more after those foreign nationals left employment in the States."

LSC President John Erlenborn said his organization must be able to help migrant farmworkers who are unfairly sent back to Mexico without their pay, as well as aliens who leave the country temporarily while the LSC is handling their case.

"The history of the Legal Services Corporation is a history of failed attempts at reform," Ken Boehm, chairman of the National Legal and Policy Center.

Mr. Erlenborn strongly disagreed and cited numerous changes the organization has made since 1996, including tighter control over its grantees.

"LSC has been faithful to the will of Congress and steadfast in its commitment to uphold all new restrictions," he said.

"In hearkening back to old controversies, an attempt was made to paint LSC as the same old organization," Mr. Kleiman said of the hearing. "In reality, today LSC is a reformed organization committed to enforcing the will of Congress and helping more poor people."

Mauricio Vivero, vice president for governmental relations and public affairs for LSC, pointed out that Congress passed LSC's budget last year without a single complaint from any lawmakers and Mr. Bush has requested the same funding level — \$329 million — for LSC in his 2003 budget.

But Mr. Barr warned that the 2003 funding request "should not signal a green light" to LSC that Congress "will continue to turn a blind eye to violations or circumvention of the mandated restrictions."